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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,032	09/08/2003	Kwok Hung Chan	USP2067H-ONC	9053
7590 Raymond Y. Chan Suite 128 108 N. Ynez Ave. Monterey Park, CA 91754		05/17/2007	EXAMINER SAADAT, CAMERON	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 05/17/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/657,032	Applicant(s) CHAN, KWOK HUNG	
	Examiner Cameron Saadat	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

In response to amendment filed 2/20/2007, newly added claims 24-43 are pending in this application. Claims 1-23 are cancelled.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 24-29, 33, 34, 36-37, and 40, are rejected under 35 U.S.C. 102(b) as being anticipated by McGee et al. (US 6,385,508; hereinafter McGee).

Regarding claims 24 and 36, McGee discloses a learn-and-play programming method and system for controlling a mechanical movement of an output shaft of a motorized toy and a domestic appliance with a controller, and including the steps of: setting an output shaft at an initial position and manually moving the output shaft from the initial position to a final position; memorizing the mechanical movement during a teach mode; setting the controller to reproduce the mechanical movement of the output shaft during a play mode, wherein the output shaft moves from the initial position to the final position. See Col. 3, lines 40-67; Col. 10, lines 62-67.

Regarding claim 25, McGee discloses an output shaft having a mechanical movement or rotational movement. See Col. 3, lines 55-57.

Regarding claims 26, 27, and 37, McGee discloses a step of memorizing angular movement of an output. Col. 7, lines 50-63.

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Regarding claims 28, 29, and 40, McGee discloses the feature of converting the mechanical movement of the output shaft into a digital form for controller 30 to reproduce the manual movement utilizing force sensor 66. See col. 10, lines 16-67.

Regarding claims 33 and 34, McGee discloses a step of repeatedly reproducing the mechanical movement learned in learn mode. See Col. 12, lines 40-45.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 30-32, 35 38-39, and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over McGee.

Regarding claims 30-32, 41-43, McGee discloses all of the claimed subject matter with the exception of explicitly disclosing the feature of clearing and resetting movement data. However, the examiner takes official notice that the feature of clearing and resetting movement data for a robot is old and well known for allowing a user to input new movements. Thus, it would have been obvious to one of

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ordinary skill in the art to modify the memory described in McGee, providing the feature of clearing and resetting movement data in order to allow a user to input new movements.

Regarding claim 35, McGee discloses a step of repeatedly reproducing the mechanical movement learned in learn mode. See Col. 12, lines 40-45.

Regarding claims 38 and 39, McGee discloses motor 28 and force sensor 66. McGee all of the claimed subject matter with the exception of explicitly disclosing that the motor is a DC motor. However, the examiner takes official notice that DC motors are old and well known. Thus, it would have been obvious to one of ordinary skill in the art to modify the motor described in McGee, providing a DC motor in order to control rotational speed of the motor by proportions of voltage applied to it.

Regarding claims 41, McGee discloses the feature of converting the mechanical movement of the output shaft into a digital form for controller 30 to reproduce the manual movement utilizing force sensor 66. See col. 10, lines 16-67.

Response to Arguments

Applicant's arguments with respect to claims 24-43 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Harjar et al (US 4,372,721) – discloses a robot that learns movement through manual movement.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing

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date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cameron Saadat whose telephone number is (571) 272-4443. The examiner can normally be reached on M-F 9:00 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Cameron Saadat
May 13, 2007



Robert E Pezzuto
Supervisory Patent Examiner
Art Unit 3714